

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2008-1593-PWS-E TCEQ ID: RN101213544 CASE NO.: 28010**  
**RESPONDENT NAME: BOSQUE BASIN WATER SUPPLY CORPORATION**

Page 1 of 3

|  |   |   |
|--|---|---|
| <b>ORDER TYPE:</b>   |   |   |
| <input type="checkbox"/> 1660 AGREED ORDER                 | <input type="checkbox"/> FINDINGS AGREED ORDER              | <input type="checkbox"/> FINDINGS ORDER FOLLOWING<br>SOAH HEARING       |
| <input checked="" type="checkbox"/> FINDINGS DEFAULT ORDER | <input type="checkbox"/> SHUTDOWN ORDER                     | <input type="checkbox"/> IMMINENT AND SUBSTANTIAL<br>ENDANGERMENT ORDER |
| <input type="checkbox"/> AMENDED ORDER                     | <input type="checkbox"/> EMERGENCY ORDER                    |   |
| <b>CASE TYPE:</b>  |   |   |
| <input type="checkbox"/> AIR                               | <input type="checkbox"/> MULTI-MEDIA (check all that apply) | <input type="checkbox"/> INDUSTRIAL HAZARDOUS WASTE                     |
| <input checked="" type="checkbox"/> PUBLIC WATER SUPPLY    | <input type="checkbox"/> PETROLEUM STORAGE TANKS            | <input type="checkbox"/> OCCUPATIONAL CERTIFICATION                     |
| <input type="checkbox"/> WATER QUALITY                     | <input type="checkbox"/> SEWAGE SLUDGE                      | <input type="checkbox"/> UNDERGROUND INJECTION<br>CONTROL               |
| <input type="checkbox"/> MUNICIPAL SOLID WASTE             | <input type="checkbox"/> RADIOACTIVE WASTE                  | <input type="checkbox"/> DRY CLEANER REGISTRATION                       |

**SITE WHERE VIOLATIONS OCCURRED:** 352 Oak Street, China Spring, McLennan County

**TYPE OF OPERATION:** Public Water Supply facility

**SMALL BUSINESS:** ☒ Yes ☐ No

**OTHER SIGNIFICANT MATTERS:** There are no complaints. There is no record of additional enforcement actions pending against this facility location.

**INTERESTED PARTIES:** No one other than the ED and the Respondent expressed an interest in this matter.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired July 6, 2009. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney:** Mr. Xavier Guerra, Litigation Division, MC R-13, (210) 403-4016

Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019

**TCEQ Enforcement Coordinator:** Mr. Epifanio Villarreal, Water Enforcement Section, MC R-14, (361) 825-3425

**TCEQ Regional Contact:** Mr. Frank Burleson, Waco Regional Office, MC R-9, (254) 761-3001

**Respondent:** Mr. Dan Myers, Registered Agent, Bosque Basin Water Supply Corporation,

P.O. Box 8, China Spring, Texas 76633

**Respondent's Attorney:** Not represented by counsel on this enforcement matter.

**VIOLATION SUMMARY CHART:**

| VIOLATION INFORMATION   | PENALTY CONSIDERATIONS   | CORRECTIVE ACTIONS TAKEN/REQUIRED   |
|---|--|---|
| <p><b>Type of Investigation:</b></p> <p> <input type="checkbox"/> Complaint<br/> <input checked="" type="checkbox"/> Routine<br/> <input type="checkbox"/> Enforcement Follow-up<br/> <input type="checkbox"/> Records Review         </p> <p><b>Date of Complaint Relating to this Case:</b><br/>None</p> <p><b>Date of Investigation Relating to this Case:</b><br/>August 28, 2008</p> <p><b>Date of NOE Relating to this Case:</b><br/>September 26, 2008</p> <p><b>Background Facts:</b><br/>           The EDRP was filed February 19, 2009, and mailed to the Respondent via certified mail, return receipt requested, and via first class mail, postage prepaid. The U.S. Postal Service returned the wrapper sent by certified mail as "unclaimed." The first class mail has not been returned, indicating that the Respondent received notice of the EDRP. The Respondent failed to answer the EDRP, failed to request a hearing, and failed to schedule a settlement conference.         </p> <p><b>Current Compliance Status:</b><br/>           The Respondent has not yet submitted documentation to certify compliance with the outstanding technical requirements.         </p> <p><b>PWS:</b></p> <ol style="list-style-type: none"> <li>Failed to keep on file and make available for Commission review documentation of a sanitary control easement for Well No. 1 [30 TEX. ADMIN. CODE § 290.41(c)(1)(F) and TCEQ Agreed Order Docket No. 2006-0075-MLM-E, Ordering Provision 2.a.iii.].</li> <li>Failed to provide a concrete sealing block that extends at least three feet in all directions from the well casing [30 TEX. ADMIN. CODE § 290.41(c)(3)(J)].</li> <li>Failed to provide a pressure gauge calibrated in feet of water for the ground storage tanks [30 TEX. ADMIN. CODE § 290.43(c)(4)].</li> <li>Failed to provide Facility records to Commission personnel at the time of the investigation [30 TEX. ADMIN. CODE §§ 290.46(f)(2) and 290.46(f)(3)(A)(iv)].</li> </ol> | <p><b>Total Assessed:</b> \$ 1,573</p> <p><b>Total Deferred:</b> \$0</p> <p> <input type="checkbox"/> Expedited Order<br/> <input type="checkbox"/> Financial Inability to Pay<br/> <input type="checkbox"/> SEP Conditional Offset         </p> <p><b>Total Due to General Revenue:</b> \$1,573</p> <p>This is a Default Order. The Respondent has not actually paid any of the assessed penalty but will be required to do so under the terms of this Order.</p> <p><b>Site Compliance History Classification</b><br/>N/A</p> <p><b>Person Compliance History Classification</b><br/>N/A</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p> | <p><b>Corrective Actions Taken:</b></p> <p>The ED recognizes that the Respondent performed the following corrective actions:</p> <ol style="list-style-type: none"> <li>Conducted an interior inspection of the pressure tank on September 15, 2008;</li> <li>Provided an updated plant operations manual to include the emergency telephone numbers on September 15, 2008;</li> <li>Calibrated the pressure gauge in feet of water on September 15, 2008; and</li> <li>Provided an air gap (backflow prevention) on the hose bib that supplies water to the watering trough on October 2, 2008.</li> </ol> <p><b>Ordering Provisions:</b></p> <p>The Respondent shall undertake the following technical requirements:</p> <ol style="list-style-type: none"> <li>Within 30 days:             <ol style="list-style-type: none"> <li>Begin to compile and maintain properly completed monthly water works operation records and maintenance records, including but not limited to flushing records, and make them available at the time of Commission inspections;</li> <li>Begin operating the Facility under the direct supervision of a water works operator who hold a Class "D" or higher license; and</li> <li>Calibrate the well meters for Well Nos. 1 and 2.</li> </ol> </li> <li>Within 45 days, submit written certification demonstrating compliance with Ordering Provisions 1.a through c.</li> <li>Within 60 days:             <ol style="list-style-type: none"> <li>Provide a sanitary control easement covering all property within 150 feet of Well No. 1;</li> <li>Provide a concrete sealing block that extends at least three feet in all directions from the well casing for Well No. 1; and</li> <li>Begin maintaining well completion data on file including but not limited to the drilling log and the cementing certificate.</li> </ol> </li> </ol> |

**VIOLATION SUMMARY CHART:**

| VIOLATION INFORMATION  | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS<br>TAKEN/REQUIRED  |
|--|------------------------|---|
| <p>5. Failed to install a backflow prevention assembly or an air gap at all residences and establishments where an actual or potential contamination hazard exists [30 TEX. ADMIN. CODE § 290.44(h)(1)(A)].</p> <p>6. Failed to conduct an inspection of the interior of the pressure tank at least once every five years [30 TEX. ADMIN. CODE § 290.46(m)(1)(B)].</p> <p>7. Failed to maintain an up-to-date plant operations manual for operator review and reference [30 TEX. ADMIN. CODE § 290.42(l)].</p> <p>8. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license [30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH &amp; SAFETY CODE § 341.033(a)].</p> <p>9. Failed to calibrate the Facility's two well meters at least once every three years [30 TEX. ADMIN. CODE § 290.46(s)(1)].</p> <p>10. Failed to provide copies of well completion data for Well No. 1 [30 TEX. ADMIN. CODE § 290.46(n)(3)].</p> |                        | <p>4. Within 75 days, submit written certification demonstrating compliance with Ordering Provisions 3.a through c.</p> |



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

TCEQ

DATES

Assigned

29-Sep-2008

PCW

20-Jan-2009

Screening

1-Oct-2008

EPA Due

31-Aug-2008

## RESPONDENT/FACILITY INFORMATION

Respondent Bosque Basin Water Supply Corporation

Reg. Ent. Ref. No. RN101213544

Facility/Site Region 9-Waco

Major/Minor Source Minor

## CASE INFORMATION

Enf./Case ID No. 28010

Docket No. 2008-1593-PWS-E

Media Program(s) Public Water Supply

Multi-Media

No. of Violations 10

Order Type Findings

Government/Non-Profit Yes

Enf. Coordinator Epifanio Villarreal

EC's Team Enforcement Team 2

Admin. Penalty \$ Limit Minimum

\$50

Maximum

\$1,000

## Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1

\$1,220

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

29.0% Enhancement

Subtotals 2, 3, &amp; 7

\$353

Notes

The penalty enhancement is due to one prior Notice of Violation ("NOV") containing violations that are the same as the violations in the current enforcement action, two dissimilar NOVs, and one agreed final enforcement order containing a denial of liability.

Culpability

No

0.0% Enhancement

Subtotal 4

\$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments

Subtotal 5

\$0

Economic Benefit

0.0% Enhancement\*

Subtotal 6

\$0

Total EB Amounts \$5,576

Approx. Cost of Compliance \$2,770

\*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal

\$1,573

OTHER FACTORS AS JUSTICE MAY REQUIRE

0.0%

Adjustment

\$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

\$1,573

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$1,573

DEFERRAL

0.0%

Reduction

Adjustment

\$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No good faith reduction is offered because a default order is recommended.

PAYABLE PENALTY

\$1,573

Screening Date 1-Oct-2008

Docket No. 2008-1593-PWS-E

PCW

Respondent Bosque Basin Water Supply Corporation

Policy Revision 2 (September 2002)

Case ID No. 28010

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN101213544

Media [Statute] Public Water Supply

Enf. Coordinator Epifanio Villarreal

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component Number of...

Enter Number Here

Adjust.

|                               |  |   |     |
|-------------------------------|--|---|-----|
| NOVs                          | Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)  | 1 | 5%  |
|                               | Other written NOVs   | 2 | 4%  |
| Orders                        | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)   | 1 | 20% |
|                               | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 0 | 0%  |
| Judgments and Consent Decrees | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)                                       | 0 | 0%  |
|                               | Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  | 0 | 0%  |
| Convictions                   | Any criminal convictions of this state or the federal government (number of counts)  | 0 | 0%  |
| Emissions                     | Chronic excessive emissions events (number of events)  | 0 | 0%  |
| Audits                        | Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)              | 0 | 0%  |
|                               | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)   | 0 | 0%  |

Please Enter Yes or No

|       |   |    |    |
|-------|---|----|----|
| Other | Environmental management systems in place for one year or more  | No | 0% |
|       | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program       | No | 0% |
|       | Participation in a voluntary pollution reduction program  | No | 0% |
|       | Early compliance with, or offer of a product that meets future state or federal government environmental requirements | No | 0% |

Adjustment Percentage (Subtotal 2) 29%

## &gt;&gt; Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

The penalty enhancement is due to one prior Notice of Violation ("NOV") containing violations that are the same as the violations in the current enforcement action, two dissimilar NOVs, and one agreed final enforcement order containing a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 29%

|  |   |  |  |  |   |  |  |  |  |  |   |  |  |
|--|---|--|--|--|---|--|--|--|--|--|---|--|--|
| <b>Screening Date</b> 1-Oct-2008                                   |   | <b>Docket No.</b> 2008-1593-PWS-E  |  | <b>PCW</b>   |   |  |  |  |  |  |   |  |  |
| <b>Respondent</b> Bosque Basin Water Supply Corporation            |   | <small>Policy Revision 2 (September 2002)</small>  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Case ID No.</b> 28010   |   | <small>PCW Revision June 12, 2008</small>  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Reg. Ent. Reference No.</b> RN101213544                         |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Media [Statute]</b> Public Water Supply                         |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Enf. Coordinator</b> Epifanio Villarreal                        |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Violation Number</b>  |   | <div style="border: 1px solid black; padding: 2px;">1</div>  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Rule Cite(s)</b>  |   | <div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 290.41(c)(1)(F), and TCEQ Agreed Order Docket No. 2006-0075-MLM-E, Ordering Provision 2.a.iii</div>  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Violation Description</b>                                       |   | <div style="border: 1px solid black; padding: 5px;">Failed to keep on file and make available for Commission review documentation of a sanitary control easement for Well No. 1.</div>                                   |  |  |   |  |  |  |  |  |   |  |  |
| <b>Base Penalty</b>  |   |  |  |  | <div style="border: 1px solid black; padding: 2px;">\$1,000</div> |  |  |  |  |  |   |  |  |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>    |   |  |  |  |   |  |  |  |  |  |   |  |  |
| OR   | <b>Harm</b>   |  |  |  |   |  |  |  |  |  |   |  |  |
|  | Major   | Moderate   | Minor  |  |   |  |  |  |  |  |   |  |  |
|  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">Actual</td> <td style="width: 33%; text-align: center;">Potential</td> <td style="width: 33%; text-align: center;">Percent</td> </tr> <tr> <td style="text-align: center;"><div style="border: 1px solid black; padding: 2px;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; padding: 2px;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; padding: 2px;">5%</div></td> </tr> <tr> <td style="text-align: center;"><div style="border: 1px solid black; padding: 2px;"></div></td> <td style="text-align: center;"><div style="border: 1px solid black; padding: 2px; text-align: center;">x</div></td> <td></td> </tr> </table> |  |  | Actual   | Potential   | Percent  | <div style="border: 1px solid black; padding: 2px;"></div> | <div style="border: 1px solid black; padding: 2px;"></div> | <div style="border: 1px solid black; padding: 2px;">5%</div> | <div style="border: 1px solid black; padding: 2px;"></div> | <div style="border: 1px solid black; padding: 2px; text-align: center;">x</div> |  |  |
| Actual   | Potential   | Percent  |  |  |   |  |  |  |  |  |   |  |  |
| <div style="border: 1px solid black; padding: 2px;"></div>         | <div style="border: 1px solid black; padding: 2px;"></div>  | <div style="border: 1px solid black; padding: 2px;">5%</div>   |  |  |   |  |  |  |  |  |   |  |  |
| <div style="border: 1px solid black; padding: 2px;"></div>         | <div style="border: 1px solid black; padding: 2px; text-align: center;">x</div>   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>&gt;&gt; Programmatic Matrix</b>                                |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Falsification</b>   |   |  | Major  | Moderate   | Minor   |  |  |  |  |  |   |  |  |
| <div style="border: 1px solid black; padding: 2px;"></div>         |   |  | <div style="border: 1px solid black; padding: 2px;"></div> | <div style="border: 1px solid black; padding: 2px;"></div>                                   | <div style="border: 1px solid black; padding: 2px;"></div>        | <div style="border: 1px solid black; padding: 2px;">0%</div> |  |  |  |  |   |  |  |
| <b>Matrix Notes</b>  |   | Without a sanitary control easement, contaminants could enter the well and customers of the water supply could be exposed to insignificant amounts of contaminants that do not exceed levels protective of human health. |  |  |   |  |  |  |  |  |   |  |  |
| <b>Adjustment:</b>   |   |  |  |  | <div style="border: 1px solid black; padding: 2px;">\$950</div>   |  |  |  |  |  |   |  |  |
|  |   |  |  |  | <div style="border: 1px solid black; padding: 2px;">\$50</div>    |  |  |  |  |  |   |  |  |
| <b>Violation Events</b>  |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Number of Violation Events</b>                                  |   | <div style="border: 1px solid black; padding: 2px;">1</div>  |  | <b>Number of violation days</b>  |   |  |  |  |  |  |   |  |  |
|  |   | <div style="border: 1px solid black; padding: 2px;">495</div>  |  |  |   |  |  |  |  |  |   |  |  |
| mark only one with an x  | daily   |  |  | <b>Violation Base Penalty</b> <div style="border: 1px solid black; padding: 2px;">\$50</div> |   |  |  |  |  |  |   |  |  |
|  | monthly   |  |  |  |   |  |  |  |  |  |   |  |  |
|  | quarterly   |  |  |  |   |  |  |  |  |  |   |  |  |
|  | semiannual  |  |  |  |   |  |  |  |  |  |   |  |  |
|  | annual  |  |  |  |   |  |  |  |  |  |   |  |  |
|  | single event  | x  |  |  |   |  |  |  |  |  |   |  |  |
| One single event is recommended.                                   |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Good Faith Efforts to Comply</b>                                |   |  |  |  |   |  |  |  |  |  |   |  |  |
|  |   | <div style="border: 1px solid black; padding: 2px;">0.0%</div> Reduction   |  | <div style="border: 1px solid black; padding: 2px;">\$0</div>                                |   |  |  |  |  |  |   |  |  |
|  |   | <small>Before NOV    NOV to EDPRP/Settlement Offer</small>   |  |  |   |  |  |  |  |  |   |  |  |
| Extraordinary  |   |  |  |  |   |  |  |  |  |  |   |  |  |
| Ordinary   |   |  |  |  |   |  |  |  |  |  |   |  |  |
| N/A  |   | <div style="border: 1px solid black; padding: 2px; text-align: center;">x</div> (mark with x)  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Notes</b>   |   | The Respondent does not meet the good faith criteria for this violation.   |  |  |   |  |  |  |  |  |   |  |  |
| <b>Violation Subtotal</b>  |   |  |  |  | <div style="border: 1px solid black; padding: 2px;">\$50</div>    |  |  |  |  |  |   |  |  |
| <b>Economic Benefit (EB) for this violation</b>                    |   |  |  |  |   |  |  |  |  |  |   |  |  |
| <b>Estimated EB Amount</b>   |   | <div style="border: 1px solid black; padding: 2px;">\$28</div>   |  | <b>Statutory Limit Test</b>  |   |  |  |  |  |  |   |  |  |
|  |   |  |  | <b>Violation Final Penalty Total</b>   | <div style="border: 1px solid black; padding: 2px;">\$65</div>    |  |  |  |  |  |   |  |  |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b> |   |  |  |  | <div style="border: 1px solid black; padding: 2px;">\$65</div>    |  |  |  |  |  |   |  |  |

**Economic Benefit Worksheet****Respondent** Bosque Basin Water Supply Corporation**Case ID No.** 28010**Reg. Ent. Reference No.** RN101213544**Media** Public Water Supply**Violation No.** 1

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

**Delayed Costs**

|                          |       |             |            |      |     |      |      |
|--------------------------|-------|-------------|------------|------|-----|------|------|
| Equipment                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Buildings                |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Other (as needed)        | \$200 | 25-May-2007 | 1-Jun-2009 | 2.02 | \$1 | \$27 | \$28 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0  | \$0  |
| Land                     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a  | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a  | \$0  |

Notes for DELAYED costs

The delayed cost includes the amount to provide a sanitary control easement for Well No.1. Date required is the effective date of TCEQ Agreed Order Docket No. 2006-0075-MLM-E. The final date is the estimated date of compliance.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$28

|   |  |   |  |            |                                      |
|---|--|---|--|------------|--------------------------------------|
| <b>Screening Date</b> 1-Oct-2008                        |  | <b>Docket No.</b> 2008-1593-PWS-E   |  | <b>PCW</b> |                                      |
| <b>Respondent</b> Bosque Basin Water Supply Corporation |  | <i>Policy Revision 2 (September 2002)</i>   |  |            |                                      |
| <b>Case ID No.</b> 28010                                |  | <i>PCW Revision June 12, 2008</i>   |  |            |                                      |
| <b>Reg. Ent. Reference No.</b> RN101213544              |  |   |  |            |                                      |
| <b>Media [Statute]</b> Public Water Supply              |  |   |  |            |                                      |
| <b>Enf. Coordinator</b> Epifanio Villarreal             |  |   |  |            |                                      |
| <b>Violation Number</b>                                 |  | <input type="text" value="2"/>  |  |            |                                      |
| <b>Rule Cite(s)</b>                                     |  | <input type="text" value="30 Tex. Admin. Code § 290.41(c)(3)(J)"/>  |  |            |                                      |
| <b>Violation Description</b>                            |  | <input type="text" value="Failed to provide a concrete sealing block that extends at least three feet in all directions from the well casing. Specifically, at the time of the investigation, it was documented that the concrete sealing block at Well No. 1 extended only 18 inches."/> |  |            |                                      |
| <b>Base Penalty</b>                                     |  |   |  |            | <input type="text" value="\$1,000"/> |

**>> Environmental, Property and Human Health Matrix**

|    |                      |                      |         |                                 |
|----|----------------------|----------------------|---------|---------------------------------|
| OR | Harm                 |                      |         |                                 |
|    | Major                | Moderate             | Minor   |                                 |
|    | Actual               | Potential            | Percent |                                 |
|    | <input type="text"/> | <input type="text"/> | x       | <input type="text" value="5%"/> |

**>> Programmatic Matrix**

|               |                      |                      |                                 |
|---------------|----------------------|----------------------|---------------------------------|
| Falsification |                      |                      |                                 |
| Major         | Moderate             | Minor                |                                 |
| Actual        | Potential            | Percent              |                                 |
|               | <input type="text"/> | <input type="text"/> | <input type="text" value="0%"/> |

**Matrix Notes**  
 Failure to provide an adequate concrete sealing block could allow contaminants to enter the well and expose the customers of the water supply to an insignificant amount of contaminants which would not exceed levels that are protective of human health.

**Adjustment**

**Violation Events**

|  |   |
|--|---|
| <b>Number of Violation Events</b> <input type="text" value="1"/> | <b>Number of violation days</b> <input type="text" value="34"/> |
|--|---|

|                      |                      |                      |                      |                      |              |
|----------------------|----------------------|----------------------|----------------------|----------------------|--------------|
| daily                | monthly              | quarterly            | semiannual           | annual               | single event |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | x            |

One single event is recommended.

**Good Faith Efforts to Comply**

|               |                      |                               |
|---------------|----------------------|-------------------------------|
|               | 0.0% Reduction       |                               |
|               | Before NOV           | NOV to EDPRP/Settlement Offer |
| Extraordinary | <input type="text"/> | <input type="text"/>          |
| Ordinary      | <input type="text"/> | <input type="text"/>          |
| N/A           | x                    | (mark with x)                 |

**Notes**  
 The Respondent does not meet the good faith criteria for this violation.

**Violation Subtotal**

|  |  |
|--|--|
| <b>Economic Benefit (EB) for this violation</b>  | <b>Statutory Limit Test</b>  |
| <b>Estimated EB Amount</b> <input type="text" value="\$5"/>  | <b>Violation Final Penalty Total</b> <input type="text" value="\$65"/> |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$65"/> |  |



**Economic Benefit Worksheet**

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 2

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost<br>No commas or \$ | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|------------------------------|---------------|------------|-----|----------------|---------------|-----------|
|------------------|------------------------------|---------------|------------|-----|----------------|---------------|-----------|

**Delayed Costs**

|                          |       |             |            |      |     |     |     |
|--------------------------|-------|-------------|------------|------|-----|-----|-----|
| Equipment                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        | \$100 | 28-Aug-2008 | 1-Jun-2009 | 0.76 | \$0 | \$5 | \$5 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount to extend the size of the concrete sealing block to three feet in all directions for Well No. 1, calculated from the date of the investigation to the estimated date of compliance.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$5

|   |  |  |  |            |                                      |
|---|--|--|--|------------|--------------------------------------|
| <b>Screening Date</b> 1-Oct-2008                        |  | <b>Docket No.</b> 2008-1593-PWS-E  |  | <b>PCW</b> |                                      |
| <b>Respondent</b> Bosque Basin Water Supply Corporation |  |  |  |            |                                      |
| <b>Case ID No.</b> 28010                                |  |  |  |            |                                      |
| <b>Reg. Ent. Reference No.</b> RN101213544              |  |  |  |            |                                      |
| <b>Media [Statute]</b> Public Water Supply              |  |  |  |            |                                      |
| <b>Enf. Coordinator</b> Epifanio Villarreal             |  |  |  |            |                                      |
| <b>Violation Number</b>                                 |  | <input type="text" value="3"/>   |  |            |                                      |
| <b>Rule Cite(s)</b>                                     |  | <input type="text" value="30 Tex. Admin. Code § 290.43(c)(4)"/>  |  |            |                                      |
| <b>Violation Description</b>                            |  | Failed to provide a pressure gauge calibrated in feet of water for the ground storage tanks. Specifically, at the time of the investigation, it was documented that the pressure gauge serving two ground storage tanks is calibrated in pounds per square inch. |  |            |                                      |
| <b>Base Penalty</b>                                     |  |  |  |            | <input type="text" value="\$1,000"/> |

**>> Environmental, Property and Human Health Matrix**

|    |           |                      |                      |                      |   |
|----|-----------|----------------------|----------------------|----------------------|---|
|    |           | Harm                 |                      |                      |   |
|    | Release   | Major                | Moderate             | Minor                |   |
| OR | Actual    | <input type="text"/> | <input type="text"/> | <input type="text"/> | Percent <input type="text" value="5%"/> |
|    | Potential | <input type="text"/> | <input type="text"/> | X                    |   |

**>> Programmatic Matrix**

|  |               |                      |                      |                      |   |
|--|---------------|----------------------|----------------------|----------------------|---|
|  |               | Major                | Moderate             | Minor                |   |
|  | Falsification | <input type="text"/> | <input type="text"/> | <input type="text"/> | Percent <input type="text" value="0%"/> |
|  |               | <input type="text"/> | <input type="text"/> | <input type="text"/> |   |

**Matrix Notes**  
 Failing to provide the storage tank with a properly calibrated water level may not allow the operator to make necessary adjustments for production and usage calculations. As a result, customers could be exposed to insignificant amount of contaminants that would not exceed levels protective of human health.

**Adjustment**

**\$50**

  
**Violation Events**

|  |              |   |  |
|--|--------------|---|--|
| <b>Number of Violation Events</b> <input type="text" value="1"/> |              | <input type="text" value="18"/> <b>Number of violation days</b> |  |
| mark only one with an x  | daily        | <input type="text"/>  | Violation Base Penalty <input type="text" value="\$50"/> |
|  | monthly      | <input type="text"/>  |  |
|  | quarterly    | <input type="text"/>  |  |
|  | semiannual   | <input type="text"/>  |  |
|  | annual       | <input type="text"/>  |  |
|  | single event | X   |  |

One single event is recommended.

  
**Good Faith Efforts to Comply**

|  |                      |                                  |
|--|----------------------|----------------------------------|
| 0.0% Reduction   |                      | <input type="text" value="\$0"/> |
|  | Before NOV           | NOV to EDP/PS/Settlement Offer   |
| Extraordinary  | <input type="text"/> | <input type="text"/>             |
| Ordinary   | <input type="text"/> | <input type="text"/>             |
| N/A  | X                    | (mark with x)                    |
| <b>Notes</b><br>The Respondent does not meet the good faith criteria for this violation. |                      |                                  |

**Violation Subtotal**

|  |  |
|--|--|
| <b>Economic Benefit (EB) for this violation</b>  | <b>Statutory Limit Test</b>  |
| <b>Estimated EB Amount</b> <input type="text" value="\$0"/>  | <b>Violation Final Penalty Total</b> <input type="text" value="\$65"/> |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$65"/> |  |

## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 3

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

### Delayed Costs

|                          |      |             |             |      |     |     |     |
|--------------------------|------|-------------|-------------|------|-----|-----|-----|
| Equipment                |      |             |             | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |      |             |             | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        | \$50 | 28-Aug-2008 | 15-Sep-2008 | 0.05 | \$0 | \$0 | \$0 |
| Engineering/construction |      |             |             | 0.00 | \$0 | \$0 | \$0 |
| Land                     |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |      |             |             | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount to calibrate the pressure gauge in feet of water, calculated from the date of the investigation to the date of compliance.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$50

TOTAL

\$0

|  |  |  |  |            |   |
|--|--|--|--|------------|---|
| <b>Screening Date</b> 1-Oct-2008   |  | <b>Docket No.</b> 2008-1593-PWS-E  |  | <b>PCW</b> |   |
| <b>Respondent</b> Bosque Basin Water Supply Corporation                          |  |  |  |            |   |
| <b>Case ID No.</b> 28010   |  |  |  |            |   |
| <small>Policy Revision 2 (September 2002)<br/>PCW Revision June 12, 2008</small> |  |  |  |            |   |
| <b>Reg. Ent. Reference No.</b> RN101213544                                       |  |  |  |            |   |
| <b>Media [Statute]</b> Public Water Supply                                       |  |  |  |            |   |
| <b>Enf. Coordinator</b> Epifanio Villarreal                                      |  |  |  |            |   |
| <b>Violation Number</b>  |  | <div style="border: 1px solid black; padding: 2px;">4</div>  |  |            |   |
| <b>Rule Cite(s)</b>  |  | <div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 290.46(f)(2), and 290.46(f)(3)(A)(iv)</div>  |  |            |   |
| <b>Violation Description</b>   |  | <div style="border: 1px solid black; padding: 5px;">Failed to provide Facility records to Commission personnel at the time of the investigation. Specifically, at the time of the investigation, the flushing records for the past twelve months (July 2007 to July 2008) were not available for review.</div> |  |            |   |
| <b>Base Penalty</b>  |  |  |  |            | <div style="border: 1px solid black; padding: 2px;">\$1,000</div> |

**>> Environmental, Property and Human Health Matrix**

|           |   |   |   |  |  |
|-----------|---|---|---|--|--|
|           | Harm  |   |   |  |  |
|           | Major   | Moderate  | Minor   |  |  |
| Release   |   |   |   |  |  |
| Actual    | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> |  |  |
| Potential | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> |  |  |

**Percent**

0%

**>> Programmatic Matrix**

|               |   |   |  |  |  |
|---------------|---|---|--|--|--|
|               | Major   |   |  |  |  |
|               | Major   | Moderate  | Minor  |  |  |
| Falsification |   |   |  |  |  |
| Actual        | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>                      |  |  |
| Potential     | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">x</div> |  |  |

**Percent**

1%

**Matrix Notes**

Less than 30% of the rule requirement was not met.

**Adjustment**

\$990

**OR**

**Adjustment**

\$10

**Violation Events**

|                            |   |                          |  |
|----------------------------|---|--------------------------|--|
| Number of Violation Events | <div style="border: 1px solid black; padding: 2px;">1</div> | Number of violation days | <div style="border: 1px solid black; padding: 2px;">34</div> |
|----------------------------|---|--------------------------|--|

mark only one with an x

|              |  |
|--------------|--|
| daily        | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>                      |
| monthly      | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>                      |
| quarterly    | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>                      |
| semiannual   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>                      |
| annual       | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>                      |
| single event | <div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">x</div> |

**Violation Base Penalty**

\$10

One single event is recommended.

**Good Faith Efforts to Comply**

|               |   |   |  |  |  |
|---------------|---|---|--|--|--|
|               | 0.0%  | Reduction   |  |  |  |
|               | Before NOV  | NOV to EDPRP/Settlement Offer   |  |  |  |
| Extraordinary | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> |  |  |  |
| Ordinary      | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> |  |  |  |
| N/A           | x   | (mark with x)   |  |  |  |

**Notes**

The Respondent does not meet the good faith criteria for this violation.

**Violation Subtotal**

\$10

|  |  |
|--|--|
| <b>Economic Benefit (EB) for this violation</b>  | <b>Statutory Limit Test</b>  |
| Estimated EB Amount <div style="border: 1px solid black; padding: 2px;">\$9</div>  | Violation Final Penalty Total <div style="border: 1px solid black; padding: 2px;">\$13</div> |
| This violation Final Assessed Penalty (adjusted for limits) <div style="border: 1px solid black; padding: 2px;">\$13</div> |  |

## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 4

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

### Delayed Costs

|                          |       |             |            |      |     |     |     |
|--------------------------|-------|-------------|------------|------|-----|-----|-----|
| Equipment                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    | \$100 | 31-Jul-2007 | 1-May-2009 | 1.75 | \$9 | n/a | \$9 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount to properly maintain flushing records. Date required is the first month that flushing records were not available. Final date is the estimated date of compliance.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs).

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$9

|  |  |  |  |            |                                      |
|--|--|--|--|------------|--------------------------------------|
| <b>Screening Date</b> 1-Oct-2008   |  | <b>Docket No.</b> 2008-1593-PWS-E  |  | <b>PCW</b> |                                      |
| <b>Respondent</b> Bosque Basin Water Supply Corporation                          |  |  |  |            |                                      |
| <b>Case ID No.</b> 28010   |  |  |  |            |                                      |
| <small>Policy Revision 2 (September 2002)<br/>PCW Revision June 12, 2008</small> |  |  |  |            |                                      |
| <b>Reg. Ent. Reference No.</b> RN101213544                                       |  |  |  |            |                                      |
| <b>Media [Statute]</b> Public Water Supply                                       |  |  |  |            |                                      |
| <b>Enf. Coordinator</b> Epifanio Villarreal                                      |  |  |  |            |                                      |
| <b>Violation Number</b>  |  | <input type="text" value="5"/>   |  |            |                                      |
| <b>Rule Cite(s)</b>  |  | <input type="text" value="30 Tex. Admin. Code § 290.44(h)(1)(A)"/>   |  |            |                                      |
| <b>Violation Description</b>   |  | <div style="border: 1px solid black; padding: 5px;"> <p>Failed to install a backflow prevention assembly or an air gap at all residences and establishments where an actual or potential contamination hazard exists. Specifically, at the time of the investigation, it was documented that a livestock watering trough located approximately 1,000 feet from the main plant did not have a backflow prevention assembly</p> </div> |  |            |                                      |
| <b>Base Penalty</b>  |  |  |  |            | <input type="text" value="\$1,000"/> |

**>> Environmental, Property and Human Health Matrix**

|    |           |                                |                      |                      |  |
|----|-----------|--------------------------------|----------------------|----------------------|--|
|    |           | Harm                           |                      |                      |  |
|    | Release   | Major                          | Moderate             | Minor                |  |
| OR | Actual    | <input type="text"/>           | <input type="text"/> | <input type="text"/> | Percent <input type="text" value="25%"/> |
|    | Potential | <input type="text" value="x"/> | <input type="text"/> | <input type="text"/> |  |

**>> Programmatic Matrix**

|  |                      |                      |                      |                      |   |
|--|----------------------|----------------------|----------------------|----------------------|---|
|  | Falsification        | Major                | Moderate             | Minor                |   |
|  | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> | Percent <input type="text" value="0%"/> |
|  | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |   |

**Matrix Notes** Without a backflow prevention assembly or air gap installed, the water supplied for human consumption could be exposed to significant amounts of contamination which could exceed levels that are protective of human health.

**Adjustment**

**Violation Events**

|                            |                                |                                 |                          |  |
|----------------------------|--------------------------------|---------------------------------|--------------------------|--|
| Number of Violation Events | <input type="text" value="2"/> | <input type="text" value="34"/> | Number of violation days |  |
|----------------------------|--------------------------------|---------------------------------|--------------------------|--|

|                         |              |                                |              |                      |   |
|-------------------------|--------------|--------------------------------|--------------|----------------------|---|
|                         | daily        | <input type="text"/>           |              |                      |   |
| mark only one with an x | monthly      | <input type="text" value="x"/> | quarterly    | <input type="text"/> | Violation Base Penalty <input type="text" value="\$500"/> |
|                         | semiannual   | <input type="text"/>           | annual       | <input type="text"/> |   |
|                         | single event | <input type="text"/>           | single event | <input type="text"/> |   |
|                         | single event | <input type="text"/>           | single event | <input type="text"/> |   |
|                         | single event | <input type="text"/>           | single event | <input type="text"/> |   |

Two monthly events are recommended from the date of the investigation, August 28, 2008, to the date of screening, October 1, 2008.

**Good Faith Efforts to Comply**

|               |                                |                               |  |  |  |
|---------------|--------------------------------|-------------------------------|--|--|--|
|               | 0.0% Reduction                 |                               |  |  |  |
|               | Before NOV                     | NOV to EDPRP/Settlement Offer |  |  |  |
| Extraordinary | <input type="text"/>           | <input type="text"/>          |  |  |  |
| Ordinary      | <input type="text"/>           | <input type="text"/>          |  |  |  |
| N/A           | <input type="text" value="x"/> | (mark with x)                 |  |  |  |

**Notes** The Respondent does not meet the good faith criteria for this violation.

**Violation Subtotal**

|  |  |
|--|--|
| <b>Economic Benefit (EB) for this violation</b>  | <b>Statutory Limit Test</b>                                      |
| Estimated EB Amount <input type="text" value="\$1"/>   | Violation Final Penalty Total <input type="text" value="\$645"/> |
| This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$645"/> |  |

**Economic Benefit Worksheet**

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 5

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

**Delayed Costs**

|                          |       |             |            |      |     |     |     |
|--------------------------|-------|-------------|------------|------|-----|-----|-----|
| Equipment                | \$100 | 28-Aug-2008 | 2-Oct-2008 | 0.10 | \$0 | \$1 | \$1 |
| Buildings                |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |       |             |            | 0.00 | \$0 | \$0 | \$0 |
| Land                     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |       |             |            | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |       |             |            | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount to install backflow prevention assemblies, calculated from the date of the investigation to the date of compliance.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$100

TOTAL

\$1

|  |  |  |                               |   |                                      |                                  |
|--|--|--|-------------------------------|---|--------------------------------------|----------------------------------|
| <b>Screening Date</b> 1-Oct-2008   |  | <b>Docket No.</b> 2008-1593-PWS-E  |                               | <b>PCW</b>  |                                      |                                  |
| <b>Respondent</b> Bosque Basin Water Supply Corporation  |  |  |                               |   |                                      |                                  |
| <b>Case ID No.</b> 28010   |  |  |                               |   |                                      |                                  |
| <b>Reg. Ent. Reference No.</b> RN101213544   |  |  |                               |   |                                      |                                  |
| <b>Media [Statute]</b> Public Water Supply   |  |  |                               |   |                                      |                                  |
| <b>Enf. Coordinator</b> Epifanio Villarreal  |  |  |                               |   |                                      |                                  |
| <b>Violation Number</b>  |  | <input type="text" value="6"/>   |                               |   |                                      |                                  |
| <b>Rule Cite(s)</b>  |  | <input type="text" value="30 Tex. Admin. Code § 290.46(m)(1)(B)"/>   |                               |   |                                      |                                  |
| <b>Violation Description</b>   |  | <input type="text" value="Failed to conduct an inspection of the interior of the pressure tank at least once every five years. Specifically, at the time of the investigation, it was documented that the pressure tank's interior was last inspected prior to August 28, 2003."/> |                               |   |                                      |                                  |
| <b>Base Penalty</b>  |  |  |                               |   | <input type="text" value="\$1,000"/> |                                  |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>  |  |  |                               |   |                                      |                                  |
| OR   | Harm   |  |                               |   |                                      |                                  |
|  | Release  | Major  | Moderate                      | Minor   |                                      |                                  |
|  | Actual   | <input type="text"/>   | <input type="text"/>          | <input type="text"/>  |                                      |                                  |
|  | Potential  | <input type="text" value="x"/>   | <input type="text"/>          | <input type="text"/>  | <b>Percent</b>                       | <input type="text" value="25%"/> |
| <b>&gt;&gt; Programmatic Matrix</b>  |  |  |                               |   |                                      |                                  |
|  | Falsification  | Major  | Moderate                      | Minor   |                                      |                                  |
|  | <input type="text"/>   | <input type="text"/>   | <input type="text"/>          | <input type="text"/>  | <b>Percent</b>                       | <input type="text" value="0%"/>  |
| <b>Matrix Notes</b>  | <input type="text" value="Complete failure to perform the required inspections of the pressure tank could result in non-detection of a tank defect which could result in a loss of tank integrity compromising the sytem's ability to supply water which could result in a significant amount of contaminants exceeding levels that are protective of human health."/> |  |                               |   |                                      |                                  |
| <b>Adjustment</b>  |  |  |                               |   | <input type="text" value="\$750"/>   |                                  |
|  |  |  |                               |   | <input type="text" value="\$250"/>   |                                  |
| <b>Violation Events</b>  |  |  |                               |   |                                      |                                  |
| <b>Number of Violation Events</b>  |  | <input type="text" value="1"/>   |                               | <input type="text" value="1827"/> <b>Number of violation days</b>                                     |                                      |                                  |
| mark only one with an x  | daily  | <input type="text"/>   |                               |   |                                      |                                  |
|  | monthly  | <input type="text"/>   |                               |   |                                      |                                  |
|  | quarterly  | <input type="text"/>   |                               |   |                                      |                                  |
|  | semiannual   | <input type="text"/>   |                               |   |                                      |                                  |
|  | annual   | <input type="text"/>   |                               |   |                                      |                                  |
|  | single event   | <input type="text" value="x"/>   |                               |   |                                      |                                  |
| <b>Violation Base Penalty</b> <input type="text" value="\$250"/>   |  |  |                               |   |                                      |                                  |
| <input type="text" value="One single event is recommended, for the five year period prior to the investigation date, August 28, 2008."/> |  |  |                               |   |                                      |                                  |
| <b>Good Faith Efforts to Comply</b>  |  |  |                               |   |                                      |                                  |
|  |  | 0.0% Reduction   |                               | <input type="text" value="\$0"/>  |                                      |                                  |
|  |  | Before NOV   | NOV to EDPRP/Settlement Offer |   |                                      |                                  |
| Extraordinary  |  | <input type="text"/>   | <input type="text"/>          |   |                                      |                                  |
| Ordinary   |  | <input type="text"/>   | <input type="text"/>          |   |                                      |                                  |
| N/A  |  | <input type="text" value="x"/>   | (mark with x)                 |   |                                      |                                  |
| <b>Notes</b>   |  | <input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>  |                               |   |                                      |                                  |
| <b>Violation Subtotal</b>  |  |  |                               |   | <input type="text" value="\$250"/>   |                                  |
| <b>Economic Benefit (EB) for this violation</b>  |  |  |                               |   |                                      |                                  |
| <b>Estimated EB Amount</b>   |  | <input type="text" value="\$5,256"/>   |                               | <b>Statutory Limit Test</b>   |                                      |                                  |
|  |  |  |                               | <b>Violation Final Penalty Total</b> <input type="text" value="\$323"/>                               |                                      |                                  |
|  |  |  |                               | <b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$323"/> |                                      |                                  |



## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 6

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

**Delayed Costs**

|                          |  |  |  |      |     |     |     |
|--------------------------|--|--|--|------|-----|-----|-----|
| Equipment                |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Land                     |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |  |  |  | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |         |             |             |      |       |         |         |
|-------------------------------|---------|-------------|-------------|------|-------|---------|---------|
| Disposal                      |         |             |             | 0.00 | \$0   | \$0     | \$0     |
| Personnel                     |         |             |             | 0.00 | \$0   | \$0     | \$0     |
| Inspection/Reporting/Sampling | \$1,000 | 28-Aug-2003 | 28-Aug-2008 | 5.01 | \$250 | \$5,005 | \$5,256 |
| Supplies/equipment            |         |             |             | 0.00 | \$0   | \$0     | \$0     |
| Financial Assurance [2]       |         |             |             | 0.00 | \$0   | \$0     | \$0     |
| ONE-TIME avoided costs [3]    |         |             |             | 0.00 | \$0   | \$0     | \$0     |
| Other (as needed)             |         |             |             | 0.00 | \$0   | \$0     | \$0     |

Notes for AVOIDED costs

The avoided cost includes the amount to inspect the interior surface of the pressure tank, calculated for the five years prior to the date of the investigation.

Approx. Cost of Compliance

\$1,000

TOTAL

\$5,256

|   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|---|---|---|---|--|---------------|-------|----------|-------|----------------------|----------------------|----------------------|-------|--------|----------------------|----------------------|----------------------|-----------|----------------------|----------------------|----------------------|
| <b>Screening Date</b> 1-Oct-2008  |   | <b>Docket No.</b> 2008-1593-PWS-E   |   | <b>PCW</b>   |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Respondent</b> Bosque Basin Water Supply Corporation                         |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Case ID No.</b> 28010  |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <i>Policy Revision 2 (September 2002)</i>                                       |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <i>PCW Revision June 12, 2008</i>   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Reg. Ent. Reference No.</b> RN101213544                                      |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Media [Statute]</b> Public Water Supply                                      |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Enf. Coordinator</b> Epifanio Villarreal                                     |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Violation Number</b>   |   | <input type="text" value="7"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Rule Cite(s)</b>   |   | <input type="text" value="30 Tex. Admin. Code § 290.42(l)"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Violation Description</b>  |   | Failed to maintain an up-to-date plant operations manual for operator review and reference. Specifically, at the time of the investigation, it was documented that the plant operation manual did not have emergency telephone numbers. |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Base Penalty</b>   |   |   |   | <input type="text" value="\$1,000"/>                                   |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>                 |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| OR  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td colspan="3" style="text-align: center;">Harm</td> </tr> <tr> <td style="text-align: center;">Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </table> |   |   |  |               | Harm  |          |       | Release              | Major                | Moderate             | Minor | Actual | <input type="text"/> | <input type="text"/> | <input type="text"/> | Potential | <input type="text"/> | <input type="text"/> | <input type="text"/> |
|   |   | Harm  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | Release   | Major   | Moderate  | Minor  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| Actual  | <input type="text"/>  | <input type="text"/>  | <input type="text"/>  |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| Potential   | <input type="text"/>  | <input type="text"/>  | <input type="text"/>  |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Percent</b>  |   |   |   | <input type="text" value="0%"/>  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>&gt;&gt; Programmatic Matrix</b>   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| Matrix Notes  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Falsification</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td style="text-align: center;">x</td> </tr> </table>   |   |   |  | Falsification | Major | Moderate | Minor | <input type="text"/> | <input type="text"/> | <input type="text"/> | x     |        |                      |                      |                      |           |                      |                      |                      |
|   | Falsification   | Major   | Moderate  | Minor  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | <input type="text"/>  | <input type="text"/>  | <input type="text"/>  | x  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Percent</b>  |   |   |   | <input type="text" value="1%"/>  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <input type="text" value="Less than 30% of the rule requirement was not met."/> |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Adjustment</b>   |   |   |   | <input type="text" value="\$990"/>                                     |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   |   |   |   | <input type="text" value="\$10"/>                                      |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Violation Events</b>   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   |   | <input type="text" value="1"/>  | <input type="text" value="18"/>                                 | <b>Number of violation days</b>  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| mark only one with an x   | daily   | <input type="text"/>  | <b>Violation Base Penalty</b> <input type="text" value="\$10"/> |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | monthly   | <input type="text"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | quarterly   | <input type="text"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | semiannual  | <input type="text"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | annual  | <input type="text"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   | single event  | x   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <input type="text" value="One single event is recommended."/>                   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Good Faith Efforts to Comply</b>   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   |   | 0.0% Reduction  |   | <input type="text" value="\$0"/>                                       |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
|   |   | Before NOV  | NOV to EDPRP/Settlement Offer                                   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| Extraordinary   | <input type="text"/>  | <input type="text"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| Ordinary  | <input type="text"/>  | <input type="text"/>  |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| N/A   | x   | (mark with x)   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Notes</b>  |   | <input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Violation Subtotal</b>   |   |   |   | <input type="text" value="\$10"/>                                      |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Economic Benefit (EB) for this violation</b>                                 |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Statutory Limit Test</b>   |   |   |   |  |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>Estimated EB Amount</b>  |   | <input type="text" value="\$0"/>  |   | <b>Violation Final Penalty Total</b> <input type="text" value="\$13"/> |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>              |   |   |   | <input type="text" value="\$13"/>                                      |               |       |          |       |                      |                      |                      |       |        |                      |                      |                      |           |                      |                      |                      |

## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 7

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

**Delayed Costs**

|                          |      |             |             |      |     |     |     |
|--------------------------|------|-------------|-------------|------|-----|-----|-----|
| Equipment                |      |             |             | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |      |             |             | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        | \$20 | 28-Aug-2008 | 15-Sep-2008 | 0.05 | \$0 | \$0 | \$0 |
| Engineering/construction |      |             |             | 0.00 | \$0 | \$0 | \$0 |
| Land                     |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |      |             |             | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |      |             |             | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

The delayed cost includes the amount required to provide emergency telephone numbers in the plant operations manual, calculated from the date of the investigation to the date of compliance.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20

TOTAL

\$0

|   |   |  |   |   |   |   |
|---|---|--|---|---|---|---|
| <b>Screening Date</b> 1-Oct-2008  |   | <b>Docket No.</b> 2008-1593-PWS-E  |   | <b>PCW</b>  |   |   |
| <b>Respondent</b> Bosque Basin Water Supply Corporation   |   |  |   | <i>Policy Revision 2 (September 2002)</i>                               |   |   |
| <b>Case ID No.</b> 28010  |   |  |   | <i>PCW Revision June 12, 2008</i>                                       |   |   |
| <b>Reg. Ent. Reference No.</b> RN101213544  |   |  |   |   |   |   |
| <b>Media [Statute]</b> Public Water Supply  |   |  |   |   |   |   |
| <b>Enf. Coordinator</b> Epifanio Villarreal   |   |  |   |   |   |   |
| <b>Violation Number</b>   |   | <div style="border: 1px solid black; padding: 2px;">8</div>  |   |   |   |   |
| <b>Rule Cite(s)</b>   |   | <div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 290.46(e)(4)(A) and Tex. Health &amp; Safety Code § 341.033(a)</div>   |   |   |   |   |
| <b>Violation Description</b>  |   | <div style="border: 1px solid black; padding: 5px;">Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license. Specifically, at the time of the investigation, it was documented that the Facility was operated by an operator whose Class "D" license expired on November 10, 2006.</div> |   |   |   |   |
| <b>Base Penalty</b>   |   |  |   |   | <div style="border: 1px solid black; padding: 2px;">\$1,000</div> |   |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>   |   |  |   |   |   |   |
| <b>OR</b>   | <b>Harm</b>   |  |   |   |   |   |
|   | <b>Release</b>  | <b>Major</b>   | <b>Moderate</b>   | <b>Minor</b>  |   |   |
|   | <b>Actual</b>   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> |   |   |
|   | <b>Potential</b>  | <div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">x</div>   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <b>Percent</b>  | <div style="border: 1px solid black; padding: 2px;">10%</div> |
| <b>&gt;&gt; Programmatic Matrix</b>   |   |  |   |   |   |   |
| <b>Matrix Notes</b>   | <b>Falsification</b>  | <b>Major</b>   | <b>Moderate</b>   | <b>Minor</b>  |   |   |
|   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <div style="border: 1px solid black; width: 40px; height: 15px;"></div> | <b>Percent</b>  | <div style="border: 1px solid black; padding: 2px;">0%</div>  |
|   | <div style="border: 1px solid black; padding: 5px;">Failure to employ a licensed operator could result in poor plant operation which could cause the customers of the Facility to be exposed to significant amounts of contaminants, which would not exceed levels that are protective of human health.</div> |  |   |   |   |   |
| <b>Adjustment</b>   |   |  |   |   | <div style="border: 1px solid black; padding: 2px;">\$900</div>   |   |
|   |   |  |   |   | <div style="border: 1px solid black; padding: 2px;">\$100</div>   |   |
| <b>Violation Events</b>   |   |  |   |   |   |   |
|   |   | <div style="border: 1px solid black; padding: 2px;">1</div>  | <div style="border: 1px solid black; padding: 2px;">34</div>            | <b>Number of violation days</b>   |   |   |
| <b>mark only one with an x</b>  | daily   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  |   |   |   |   |
|   | monthly   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  |   |   |   |   |
|   | quarterly   | <div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">x</div>   |   |   |   |   |
|   | semiannual  | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  |   |   |   |   |
|   | annual  | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  |   |   |   |   |
|   | single event  | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>  |   |   |   |   |
| <b>Violation Base Penalty</b>   |   |  |   |   | <div style="border: 1px solid black; padding: 2px;">\$100</div>   |   |
| <div style="border: 1px solid black; padding: 5px; text-align: center;">One quarterly event is recommended, calculated from the date of the investigation, August 28, 2008, to the date of case screening, October 1, 2008.</div> |   |  |   |   |   |   |
| <b>Good Faith Efforts to Comply</b>   |   |  |   |   |   |   |
|   |   | <b>0.0% Reduction</b>  |   | <div style="border: 1px solid black; padding: 2px;">\$0</div>           |   |   |
|   |   | <b>Before NOV</b>  | <b>NOV to EDPRP/Settlement Offer</b>                                    |   |   |   |
| <b>Extraordinary</b>  | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>   |  |   |   |   |   |
| <b>Ordinary</b>   | <div style="border: 1px solid black; width: 40px; height: 15px;"></div>   |  |   |   |   |   |
| <b>N/A</b>  | <div style="border: 1px solid black; width: 40px; height: 15px; text-align: center;">x</div>  | (mark with x)  |   |   |   |   |
| <b>Notes</b>  | <div style="border: 1px solid black; padding: 5px;">The Respondent does not meet the good faith criteria for this violation.</div>  |  |   |   |   |   |
| <b>Violation Subtotal</b>   |   |  |   |   | <div style="border: 1px solid black; padding: 2px;">\$100</div>   |   |
| <b>Economic Benefit (EB) for this violation</b>   |   |  |   |   |   |   |
| <b>Estimated EB Amount</b>  |   | <div style="border: 1px solid black; padding: 2px;">\$0</div>  |   | <b>Statutory Limit Test</b>   |   |   |
|   |   |  |   | <b>Violation Final Penalty Total</b>                                    | <div style="border: 1px solid black; padding: 2px;">\$129</div>   |   |
|   |   |  |   | <b>This violation Final Assessed Penalty (adjusted for limits)</b>      | <div style="border: 1px solid black; padding: 2px;">\$129</div>   |   |

## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 8

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

### Delayed Costs

|                          |  |  |  |      |     |     |     |
|--------------------------|--|--|--|------|-----|-----|-----|
| Equipment                |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Land                     |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |  |  |  | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

There is no economic benefit associated to this violation because the Respondent continued to employ the Operator. The Operator is responsible for application and testing fees.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

|   |   |   |          |                                     |         |    |
|---|---|---|----------|-------------------------------------|---------|----|
| Screening Date 1-Oct-2008                                       |   | Docket No. 2008-1593-PWS-E  |          | PCW                                 |         |    |
| Respondent Bosque Basin Water Supply Corporation                |   |   |          | Policy Revision 2 (September 2002)  |         |    |
| Case ID No. 28010   |   |   |          | PCW Revision June 12, 2008          |         |    |
| Reg. Ent. Reference No. RN101213544                             |   |   |          |                                     |         |    |
| Media [Statute] Public Water Supply                             |   |   |          |                                     |         |    |
| Enf. Coordinator Epifanio Villarreal                            |   |   |          |                                     |         |    |
| Violation Number  |   | 9   |          |                                     |         |    |
| Rule Cite(s)  |   | 30 Tex. Admin. Code § 290.46(s)(1)  |          |                                     |         |    |
| Violation Description   |   | Failed to calibrate the Facility's two well meters at least once every three years. |          |                                     |         |    |
| Base Penalty  |   |   |          |                                     | \$1,000 |    |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b> |   |   |          |                                     |         |    |
| OR  | Harm  |   |          |                                     |         |    |
|   | Release   | Major   | Moderate | Minor                               |         |    |
|   | Actual  |   |          |                                     |         |    |
|   | Potential   |   |          | X                                   | Percent | 5% |
| <b>&gt;&gt; Programmatic Matrix</b>                             |   |   |          |                                     |         |    |
|   | Falsification   | Major   | Moderate | Minor                               |         |    |
|   |   |   |          |                                     | Percent | 0% |
| Matrix Notes  | Failure to have the well meters properly calibrated could result in inaccurate or unavailable water usage and production data, which could expose customers to an insignificant amount of contaminants that would not exceed levels protective of human health. |   |          |                                     |         |    |
| Adjustment  |   |   |          |                                     | \$950   |    |
|   |   |   |          |                                     | \$50    |    |
| <b>Violation Events</b>   |   |   |          |                                     |         |    |
| Number of Violation Events                                      |   | 2   |          | 34 Number of violation days         |         |    |
| mark only one with an x   | daily   |   |          |                                     |         |    |
|   | monthly   |   |          |                                     |         |    |
|   | quarterly   |   |          |                                     |         |    |
|   | semiannual  |   |          |                                     |         |    |
|   | annual  |   |          |                                     |         |    |
|   | single event  | X   |          |                                     |         |    |
| Violation Base Penalty \$100                                    |   |   |          |                                     |         |    |
| Two single events are recommended.                              |   |   |          |                                     |         |    |
| Good Faith Efforts to Comply                                    |   | 0.0% Reduction  |          | \$0                                 |         |    |
|   |   | Before NOV NOV to EDPRP/Settlement Offer  |          |                                     |         |    |
| Extraordinary   |   |   |          |                                     |         |    |
| Ordinary  |   |   |          |                                     |         |    |
| N/A   |   | X (mark with x)   |          |                                     |         |    |
| Notes   |   | The Respondent does not meet the good faith criteria for this violation.            |          |                                     |         |    |
| Violation Subtotal  |   |   |          |                                     | \$100   |    |
| Economic Benefit (EB) for this violation                        |   | Statutory Limit Test  |          |                                     |         |    |
| Estimated EB Amount   |   | \$239   |          | Violation Final Penalty Total \$129 |         |    |
| This violation Final Assessed Penalty (adjusted for limits)     |   |   |          |                                     | \$129   |    |

## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 9

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

### Delayed Costs

|                          |  |  |  |      |     |     |     |
|--------------------------|--|--|--|------|-----|-----|-----|
| Equipment                |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Buildings                |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)        |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Engineering/construction |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Land                     |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Record Keeping System    |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Training/Sampling        |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Remediation/Disposal     |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Permit Costs             |  |  |  | 0.00 | \$0 | n/a | \$0 |
| Other (as needed)        |  |  |  | 0.00 | \$0 | n/a | \$0 |

Notes for DELAYED costs

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |       |             |             |      |      |       |       |
|-------------------------------|-------|-------------|-------------|------|------|-------|-------|
| Disposal                      |       |             |             | 0.00 | \$0  | \$0   | \$0   |
| Personnel                     |       |             |             | 0.00 | \$0  | \$0   | \$0   |
| Inspection/Reporting/Sampling |       |             |             | 0.00 | \$0  | \$0   | \$0   |
| Supplies/equipment            |       |             |             | 0.00 | \$0  | \$0   | \$0   |
| Financial Assurance [2]       |       |             |             | 0.00 | \$0  | \$0   | \$0   |
| ONE-TIME avoided costs [3]    |       |             |             | 0.00 | \$0  | \$0   | \$0   |
| Other (as needed)             | \$200 | 28-Aug-2005 | 25-Aug-2008 | 3.91 | \$39 | \$200 | \$239 |

Notes for AVOIDED costs

The avoided cost includes the amount to properly calibrate the well meters, calculated for the three years prior to the investigation date.

Approx. Cost of Compliance

\$200

TOTAL

\$239

|  |                |   |  |                                  |   |                      |
|--|----------------|---|--|----------------------------------|---|----------------------|
| <b>Screening Date</b> 1-Oct-2008   |                | <b>Docket No.</b> 2008-1593-PWS-E   |  | <b>PCW</b>                       |   |                      |
| <b>Respondent</b> Bosque Basin Water Supply Corporation                          |                |   |  |                                  |   |                      |
| <b>Case ID No.</b> 28010   |                |   |  |                                  |   |                      |
| <small>Policy Revision 2 (September 2002)<br/>PCW Revision June 12, 2008</small> |                |   |  |                                  |   |                      |
| <b>Reg. Ent. Reference No.</b> RN101213544                                       |                |   |  |                                  |   |                      |
| <b>Media [Statute]</b> Public Water Supply                                       |                |   |  |                                  |   |                      |
| <b>Enf. Coordinator</b> Epifanio Villarreal                                      |                |   |  |                                  |   |                      |
| <b>Violation Number</b>  |                | <input type="text" value="10"/>   |  |                                  |   |                      |
| <b>Rule Cite(s)</b>  |                | <input type="text" value="30 Tex. Admin. Code § 290.46(n)(3)"/>   |  |                                  |   |                      |
| <b>Violation Description</b>   |                | <div style="border: 1px solid black; padding: 5px;"> <p>Failed to provide copies of well completion data. Specifically, at the time of the investigation, it was documented that the drillers log and the cementing certificate for Well No.1 were not available for review.</p> </div> |  |                                  |   |                      |
| <b>Base Penalty</b>  |                |   |  |                                  | <input type="text" value="\$1,000"/>            |                      |
| <b>&gt;&gt; Environmental, Property and Human Health Matrix</b>                  |                |   |  |                                  |   |                      |
| <b>OR</b>  | <b>Release</b> |   | <b>Harm</b>  |                                  | <b>Percent</b> <input type="text" value="0%"/>  |                      |
|  |                |   | Major  | Moderate                         |   | Minor                |
|  | Actual         |   | <input type="text"/>   | <input type="text"/>             |   | <input type="text"/> |
| Potential  |                | <input type="text"/>  | <input type="text"/>   | <input type="text"/>             |   |                      |
| <b>&gt;&gt; Programmatic Matrix</b>  |                |   |  |                                  |   |                      |
| <b>Falsification</b>   |                | Major   | Moderate   | Minor                            | <b>Percent</b> <input type="text" value="10%"/> |                      |
| <input type="text"/>   |                | x   | <input type="text"/>   | <input type="text"/>             |   |                      |
| <b>Matrix Notes</b>  |                | <div style="border: 1px solid black; padding: 5px;"> <p>100% of the rule requirement was not met.</p> </div>  |  |                                  |   |                      |
| <b>Adjustment</b>  |                |   |  |                                  | <input type="text" value="\$900"/>              |                      |
|  |                |   |  |                                  | <input type="text" value="\$100"/>              |                      |
| <b>Violation Events</b>  |                |   |  |                                  |   |                      |
| <b>Number of Violation Events</b>  |                | <input type="text" value="1"/>  | <input type="text" value="34"/>                                  |                                  | <b>Number of violation days</b>                 |                      |
| <small>mark only one with an x</small>   | daily          | <input type="text"/>  | <b>Violation Base Penalty</b> <input type="text" value="\$100"/> |                                  |   |                      |
|  | monthly        | <input type="text"/>  |  |                                  |   |                      |
|  | quarterly      | <input type="text"/>  |  |                                  |   |                      |
|  | semiannual     | <input type="text"/>  |  |                                  |   |                      |
|  | annual         | <input type="text"/>  |  |                                  |   |                      |
|  | single event   | x   |  |                                  |   |                      |
| <p>One single event is recommended.</p>  |                |   |  |                                  |   |                      |
| <b>Good Faith Efforts to Comply</b>  |                | <input type="text" value="0.0%"/> Reduction   |  | <input type="text" value="\$0"/> |   |                      |
|  |                | Before NOV  | NOV to EDPRP/Settlement Offer                                    |                                  |   |                      |
| Extraordinary  |                | <input type="text"/>  | <input type="text"/>   |                                  |   |                      |
| Ordinary   |                | <input type="text"/>  | <input type="text"/>   |                                  |   |                      |
| N/A  |                | x   | (mark with x)  |                                  |   |                      |
| <b>Notes</b>   |                | <div style="border: 1px solid black; padding: 5px;"> <p>The Respondent does not meet the good faith criteria for this violation.</p> </div>   |  |                                  |   |                      |
| <b>Violation Subtotal</b>  |                |   |  |                                  | <input type="text" value="\$100"/>              |                      |
| <b>Economic Benefit (EB) for this violation</b>                                  |                |   | <b>Statutory Limit Test</b>                                      |                                  |   |                      |
| <b>Estimated EB Amount</b>   |                | <input type="text" value="\$38"/>   | <b>Violation Final Penalty Total</b>                             |                                  | <input type="text" value="\$129"/>              |                      |
| <b>This violation Final Assessed Penalty (adjusted for limits)</b>               |                |   |  |                                  | <input type="text" value="\$129"/>              |                      |



## Economic Benefit Worksheet

Respondent Bosque Basin Water Supply Corporation

Case ID No. 28010

Reg. Ent. Reference No. RN101213544

Media Public Water Supply

Violation No. 10

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

### Delayed Costs

|                          |         |             |            |      |      |     |      |
|--------------------------|---------|-------------|------------|------|------|-----|------|
| Equipment                |         |             |            | 0.00 | \$0  | \$0 | \$0  |
| Buildings                |         |             |            | 0.00 | \$0  | \$0 | \$0  |
| Other (as needed)        |         |             |            | 0.00 | \$0  | \$0 | \$0  |
| Engineering/construction |         |             |            | 0.00 | \$0  | \$0 | \$0  |
| Land                     |         |             |            | 0.00 | \$0  | n/a | \$0  |
| Record Keeping System    | \$1,000 | 28-Aug-2008 | 1-Jun-2009 | 0.76 | \$38 | n/a | \$38 |
| Training/Sampling        |         |             |            | 0.00 | \$0  | n/a | \$0  |
| Remediation/Disposal     |         |             |            | 0.00 | \$0  | n/a | \$0  |
| Permit Costs             |         |             |            | 0.00 | \$0  | n/a | \$0  |
| Other (as needed)        |         |             |            | 0.00 | \$0  | n/a | \$0  |

Notes for DELAYED costs

The delayed cost includes the amount to provide a driller's log and cementing certificates for Well No. 1, calculated from the date of the investigation to the estimated date to compliance.

### Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$38

# Compliance History Report

|   |   |                                       |                 |              |
|---|---|---------------------------------------|-----------------|--------------|
| Customer/Respondent/Owner-Operator:   | CN600656292                                   | Bosque Basin Water Supply Corporation | Classification: | Rating:      |
| Regulated Entity:   | RN101213544                                   | BOSQUE BASIN WSC                      | Classification: | Site Rating: |
| ID Number(s):   | PUBLIC WATER SYSTEM/SUPPLY                    | REGISTRATION                          |                 | 1550074      |
|   | WATER LICENSING                               | LICENSE                               |                 | 1550074      |
| Location:   | 352 OAK ST, CHINA SPRING, MCLENNAN COUNTY, TX |                                       |                 |              |
| TCEQ Region:  | REGION 09 - WACO                              |                                       |                 |              |
| Date Compliance History Prepared:   | October 20, 2008                              |                                       |                 |              |
| Agency Decision Requiring Compliance History:   | Enforcement                                   |                                       |                 |              |
| Compliance Period:  | October 20, 2003 to October 20, 2008          |                                       |                 |              |
| TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History |   |                                       |                 |              |
| Name:   | Epi Villarreal                                | Phone:                                | 361-825 - 3425  |              |

## Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

## Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- Effective Date: 05/25/2007 ADMINORDER 2006-0075-MLM-E
- Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)
- Description: Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system under normal operating conditions.
- Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(A)
- Description: Failed to locate a well site for a public drinking water system at least 150 feet from a septic tank perforated drainfield.
- Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)
- Description: Failed to keep on file and make available for Commission review documentation of a sanitary control easement for well No. 1.
- Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)
- Description: Failed to provide a concrete sealing block that extends at least three feet from the exterior well casing in all directions for well No. 2.
- Classification: Minor
- Citation: 30 TAC Chapter 288, SubChapter C 288.30(5)(B)
- Description: Failed to keep on file and make available for Commission review a drought contingency plan that was prepared and adopted by May 1, 2005.
- Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4)
- Description: Failed to provide the water storage tanks with a proper liquid level indicator.
- Classification: Minor
- Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(2)
- 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)
- Description: Failed to keep on file and make available for Commission review copies of customers service inspection reports.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

|    |            |          |
|----|------------|----------|
| 1  | 12/29/2004 | (340096) |
| 2  | 02/18/2005 | (349707) |
| 3  | 10/28/2005 | (435220) |
| 4  | 01/11/2006 | (438202) |
| 5  | 05/15/2007 | (644678) |
| 6  | 08/01/2007 | (645437) |
| 7  | 08/15/2007 | (645618) |
| 8  | 11/01/2007 | (646080) |
| 9  | 09/25/2008 | (700515) |
| 10 | 10/16/2008 | (703298) |

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 12/29/2004 (340096)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)

Description: Failed to maintain a minimum pressure of 35 pounds per square inch ("psi") throughout the distribution system under normal operating conditions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(A)

Description: Failed to locate a well site for a public drinking water system at least 150 feet from a septic tank perforated drainfield.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)

Description: Failed to keep on file and make available for Commission review documentation of a sanitary control easement for well No. 1.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)

Description: Failed to provide a concrete sealing block that extends at least three feet from the exterior well casing in all directions for well No. 2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.46(t)

Description: Failure to post an emergency phone number on the sign at Well #2.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 288, SubChapter C 288.30(5)(B)

Description: Failed to keep on file and make available for Commission review a drought contingency plan that was prepared and adopted by May 1, 2005.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3)

Description: Failure to provide an overflow pipe on ground storage tank #1.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(4)

Description: Failed to provide the water storage tanks with a proper liquid level indicator.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(5)

Description: Failure to locate inlet and outlet connections on GS Tank #2 to prevent short-circuiting.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.42(f)(2)

30 TAC Chapter 290, SubChapter D 290.46(f)(3)(A)(iv)

Description: Failed to keep on file and make available for Commission review copies of customers service inspection reports.

Date: 05/15/2007 (644678)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(4)

Description: BACT - MONITORING/REPORTING VIOLATIONS

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)  
Description: PUBLIC NOTICE

Date: 08/15/2007 (645618)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.109(f)(4)  
Description: BACT - MONITORING/REPORTING VIOLATIONS

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(1)(A)  
Description: PUBLIC NOTICE

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
BOSQUE BASIN WATER SUPPLY  
CORPORATION,  
RN101213544

§  
§  
§  
§  
§  
§

BEFORE THE  
  
TEXAS COMMISSION ON  
  
ENVIRONMENTAL QUALITY

## DEFAULT ORDER DOCKET NO. 2008-1593-PWS-E

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition filed pursuant to TEX. HEALTH & SAFETY CODE ch. 341, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Bosque Basin Water Supply Corporation ("Bosque Basin").

The Commission makes the following Findings of Fact and Conclusions of Law:

### FINDINGS OF FACT

1. Bosque Basin owns and operates a public water supply facility located at 352 Oak Street, China Spring, McLennan County, Texas (the "Facility").
2. The Facility has 64 service connections and serves at least 25 people per day for at least 60 days per year. As such, the Facility is a public water supply system as defined in 30 TEX. ADMIN. CODE § 290.38(63).
3. During an inspection on August 28, 2008, a TCEQ Waco Regional Office investigator documented that Bosque Basin:
  - a. Failed to keep on file and make available for Commission review documentation of a sanitary control easement for Well No. 1;
  - b. Failed to provide a concrete sealing block that extends at least three feet in all directions from the well casing. Specifically, the concrete sealing block at Well No. 1 extended only eighteen inches;

- c. Failed to provide a pressure gauge calibrated in feet of water for the ground storage tanks. Specifically, the pressure gauge serving two ground storage tanks was calibrated in pounds per square inch;
  - d. Failed to provide Facility records to Commission personnel at the time of the investigation. Specifically, the flushing records for July 2007 to July 2008 were not available for review;
  - e. Failed to install a backflow prevention assembly or an air gap at all residences and establishments where an actual or potential contamination hazard exists. Specifically, a livestock watering trough located approximately 1,000 feet from the main plant did not have a backflow prevention assembly;
  - f. Failed to conduct an inspection of the interior of the pressure tank at least once every five years. Specifically, the pressure tank's interior wall was last inspected prior to August 28, 2003;
  - g. Failed to maintain an up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual did not have emergency telephone numbers;
  - h. Failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license. Specifically, the Facility was operated by an operator whose Class "D" license expired on November 10, 2006;
  - i. Failed to calibrate the Facility's two well meters at least once every three years; and
  - j. Failed to provide copies of well completion data. Specifically, the drillers log and the cementing certificate for Well No. 1 were not available for review.
4. Bosque Basin received notice of the violations on or about October 1, 2008.
5. The Executive Director recognizes that Bosque Basin has implemented the following corrective measures at the Facility in response to this enforcement action:
- a. On September 15, 2008, conducted an interior inspection of the pressure tank;
  - b. On September 15, 2008, provided an updated plant operations manual to include the emergency telephone numbers;
  - c. On September 15, 2008, calibrated the pressure gauge in feet of water; and

- d. On October 2, 2008, provided an air gap on the hose bib that supplies water to the watering trough.
6. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Bosque Basin Water Supply Corporation" (the "EDPRP") in the TCEQ Chief Clerk's office on February 19, 2009.
7. By letter dated February 19, 2009, sent via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Bosque Basin with notice of the EDPRP. The United States Postal Service returned the wrapper sent by certified mail as "unclaimed". The first class mail has not been returned, indicating that Bosque Basin received notice of the EDPRP.
8. More than 20 days have elapsed since Bosque Basin received notice of the EDPRP provided by the Executive Director. Bosque Basin failed to file an answer, failed to request a hearing, and failed to schedule a settlement conference.

### CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact Nos. 1 and 2, Bosque Basin is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Finding of Fact No. 3.a., Bosque Basin failed to keep on file and make available for Commission review documentation of a sanitary control easement for Well No. 1, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(1)(F) and TCEQ Agreed Order Docket No. 2006-0075-MLM-E, Ordering Provision 2.a.iii.
3. As evidenced by Finding of Fact No. 3.b., Bosque Basin failed to provide a concrete sealing block that extends at least three feet in all directions from the well casing. Specifically, the concrete sealing block at Well No. 1 extended only eighteen inches, in violation of 30 TEX. ADMIN. CODE § 290.41(c)(3)(J).
4. As evidenced by Finding of Fact No. 3.c., Bosque Basin failed to provide a pressure gauge calibrated in feet of water for the ground storage tanks. Specifically, the pressure gauge serving two ground storage tanks was calibrated in pounds per square inch, in violation of 30 TEX. ADMIN. CODE § 290.43(c)(4).

5. As evidenced by Finding of Fact No. 3.d., Bosque Basin failed to provide Facility records to Commission personnel at the time of the investigation. Specifically, the flushing records for July 2007 to July 2008 were not available for review, in violation of 30 TEX. ADMIN. CODE §§ 290.46(f)(2) and 290.46(f)(3)(A)(iv).
6. As evidenced by Finding of Fact No. 3.e., Bosque Basin failed to install a backflow prevention assembly or an air gap at all residences and establishments where an actual or potential contamination hazard exists. Specifically, a livestock watering trough located approximately 1,000 feet from the main plant did not have a backflow prevention assembly, in violation of 30 TEX. ADMIN. CODE § 290.44(h)(1)(A).
7. As evidenced by Finding of Fact No. 3.f., Bosque Basin failed to conduct an inspection of the interior of the pressure tank at least once every five years. Specifically, the pressure tank's interior wall was last inspected prior to August 28, 2003, in violation of 30 TEX. ADMIN. CODE § 290.46(m)(1)(B).
8. As evidenced by Finding of Fact No. 3.g., Bosque Basin failed to maintain an up-to-date plant operations manual for operator review and reference. Specifically, the plant operations manual did not have emergency telephone numbers, in violation of 30 TEX. ADMIN. CODE § 290.42(l).
9. As evidenced by Finding of Fact No. 3.h., Bosque Basin failed to operate the Facility under the direct supervision of a water works operator who holds a Class "D" or higher license. Specifically, the Facility was operated by an operator whose Class "D" license expired on November 10, 2006, in violation of 30 TEX. ADMIN. CODE § 290.46(e)(4)(A) and TEX. HEALTH & SAFETY CODE § 341.033(a).
10. As evidenced by Finding of Fact No. 3.i., Bosque Basin failed to calibrate the Facility's two well meters at least once every three years, in violation of 30 TEX. ADMIN. CODE § 290.46(s)(1).
11. As evidenced by Finding of Fact No. 3.j., Bosque Basin failed to provide copies of well completion data. Specifically, the drillers log and the cementing certificate for Well No. 1 were not available for review, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3).
12. As evidenced by Finding of Fact Nos. 6 and 7, the Executive Director timely served Bosque Basin with proper notice of the EDPRP, as required by TEX. WATER CODE § 7.055 and 30 TEX. ADMIN. CODE § 70.104(c)(2).
13. As evidenced by Finding of Fact No. 8, Bosque Basin failed to file a timely answer as required by TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.105.



Pursuant to TEX. HEALTH & SAFETY CODE § 341.049 and 30 TEX. ADMIN. CODE § 70.106, the Commission may enter a Default Order against Bosque Basin and assess the penalty recommended by the Executive Director.

14. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against Bosque Basin for violations of the Texas Water Code and the Texas Health and Safety Code, within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
15. An administrative penalty in the amount of one thousand five hundred seventy-three dollars (\$1,573.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b).
16. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

### ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Bosque Basin is assessed an administrative penalty in the amount of one thousand five hundred seventy-three dollars (\$1,573.00) for violations of state statutes and TCEQ rules. The payment of this administrative penalty and Bosque Basin's compliance with all the terms and conditions set forth in this Order completely resolve the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations which are not raised here. All checks submitted to pay the penalty imposed by this Order shall be made out to the "Texas Commission on Environmental Quality". The administrative penalty assessed by this Order shall be paid within 30 days after the effective date of this Order and shall be sent with the notation "Re: Bosque Basin Water Supply Corporation; Docket No. 2008-1593-PWS-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. Bosque Basin shall undertake the following technical requirements:

- a. Within 30 days after the effective date of the Commission Order, Bosque Basin shall:
  - i. Begin to compile and maintain properly completed monthly water works operation records and maintenance records, including but not limited to flushing records, and make them available at the time of Commission inspections, in accordance with 30 TEX. ADMIN. CODE § 290.46;
  - ii. Begin operating the Facility under the direct supervision of a water works operator who hold a Class "D" or higher license, in accordance with 30 TEX. ADMIN. CODE § 290.46; and
  - iii. Calibrate the well meters for Well Nos. 1 and 2, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- b. Within 45 days after the effective date of the Commission Order, Bosque Basin shall submit written certification as described below in Ordering Provision 2.d., and include supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.
- c. Within 60 days after the effective date of the Commission Order, Bosque Basin shall:
  - i. Provide a sanitary control easement covering all property within 150 feet of Well No. 1, in accordance with 30 TEX. ADMIN. CODE § 290.41;
  - ii. Provide a concrete sealing block that extends at least three feet in all directions from the well casing for Well No. 1, in accordance with 30 TEX. ADMIN. CODE § 290.41; and
  - iii. Begin maintaining well completion data on file including but not limited to the drilling log and the cementing certificate, in accordance with 30 TEX. ADMIN. CODE § 290.46.
- d. Within 75 days after the effective date of the Commission Order, Bosque Basin shall submit written certification and detailed supporting documentation, including photographs, receipts, and/or other records, to demonstrate compliance with Ordering Provision 2.c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents,

and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Bosque Basin shall submit the written certification and copies of documentation necessary to demonstrate compliance with these Ordering Provisions to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Mr. Frank Burleson, Water Section Manager  
Texas Commission on Environmental Quality  
Waco Regional Office  
6801 Sanger Avenue, Suite 2500  
Waco, Texas 76710-7826

3. All relief not expressly granted in this Order is denied.
4. The provisions of this Order shall apply to and be binding upon Bosque Basin. Bosque Basin is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Bosque Basin shall be made in writing to the Executive Director. Extensions are not effective until Bosque Basin receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Bosque Basin if the Executive Director determines that Bosque Basin has not complied with one or more of the terms or conditions in this Order.

7. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
8. The Chief Clerk shall provide a copy of this Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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For the Commission

## AFFIDAVIT OF XAVIER GUERRA

STATE OF TEXAS           §  
                                  §  
COUNTY OF BEXAR       §

"My name is Xavier Guerra. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Bosque Basin Water Supply Corporation" (the "EDPRP") was filed with the Office of the Chief Clerk on February 19, 2009.

I sent the EDPRP to Bosque Basin at its last known address on February 19, 2009, via certified mail, return receipt requested, and via first class mail, postage prepaid. The United States Postal Service returned the wrapper sent by certified mail as "unclaimed". The first class mail has not been returned, indicating the respondent received notice of the EDPRP, in accordance with 30 TEX. ADMIN. CODE § 70.104(c)(2).

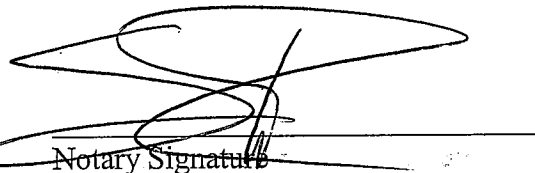
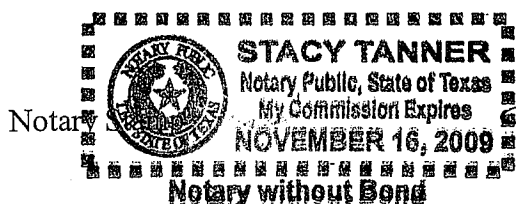
More than 20 days have elapsed since Bosque Basin received notice of the EDPRP. Bosque Basin failed to file an answer, failed to request a hearing, and failed to schedule a settlement conference".



Xavier Guerra  
Attorney  
Texas Commission on Environmental Quality

Before me, the undersigned authority, on this day personally appeared Xavier Guerra, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 6<sup>th</sup> day of May, A.D., 2009.



Notary Signature